



JOSHUA S. LEVY
Associate

Gibbons P.C.
One Gateway Center
Newark, New Jersey 07102-5310
Direct: (973) 596-4723 Fax: (973) 639-6301
jlevy@gibbonslaw.com

November 16, 2017

VIA ECF & ELECTRONIC MAIL

Hon. Cathy Seibel, U.S.D.J.
United States District Court for the Southern District of New York
Hon. Charles L. Brieant Jr. Federal Building and U.S. Courthouse
300 Quarropas St.
White Plains, NY 10601
chambersnysdseibel@nysd.uscourts.gov

Re: Markos v. Russell Brands, LLC
Civil Action No. 16-04362 (CS)

Dear Judge Seibel,

On behalf of Defendant, Russell Brands, LLC (“Russell”), we write to update the Court regarding our November 10, 2017 request for a pre-motion discovery conference with your Honor, currently scheduled for tomorrow, November 17, 2017. Yesterday, Plaintiff’s counsel produced the data sought by Russell, which underlies Plaintiff’s “independent testing report” referenced in the Complaint. We therefore withdraw our November 10 letter and request for a pre-motion conference, as the issue is now moot. We accordingly request that tomorrow’s conference be adjourned.

Respectfully,

s/ Joshua S. Levy

Joshua S. Levy

cc: *All counsel via ECF.*

Glad you were able to work it out.

The next conference will be 2/16/18 at 3:30 pm. Any party contemplating a motion must submit a pre-motion letter of no more than 3 pages by 2/2/17, and the opposing party must respond, also by letter of no more than 3 pages, by 2/9/17.

SO ORDERED.


CATHY SEIBEL, U.S.D.J.

November 17, 2017